

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY DECEMBER 3, 2001 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Sheila M. Attai, Trustee
Richard J. Livingston, Trustee
Isabel B. Milano, Trustee
Stephen A. McCabe, Village Administrator
Donald P. Marra, Deputy Administrator
Lawrence S. Schopfer, Clerk-Treasurer
Robert Mascianica, Supt. of Public Works
Daniel Raimondo, Police Lieutenant
Lino Sciarretta, Village Attorney's Office

Mayor Flood called the meeting to order. Trustee Attai made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood presented William Lyons with a plaque thanking him for his heroic contributions in World War II as a fighter pilot.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Trustee Attai made a motion to approve the minutes of the regular meeting of the Village Board held on November 19, 2001. The motion was seconded by Trustee Livingston and unanimously approved.

Mayor Flood read correspondence from Cablevision regarding a rate increase; Nicholas Spano regarding funding impacts since the September 11th attacks; and the Town of Greenburgh regarding the use of pool facilities by disabled children.

Mayor Flood requested a motion to appoint Michael Gallin to the Board of Architectural Review for a term to expire April 2002. Trustee Livingston made such a motion. Trustee Attai seconded the motion and it was unanimously approved.

Mayor Flood discussed a proposed resolution regarding the temporary shutdown of the Indian Point Nuclear Power Plant. There were comments from those in attendance including Steven Filler regarding the no fly zone and potassium iodide; Steve Fondalier regarding potassium iodide; and other members of the audience. After the discussion period, Trustee Milano made a motion to adopt the resolution as presented. Trustee Livingston seconded the motion and it was unanimously approved. A full copy of the resolution is attached hereto as a part of these minutes.

Mayor Flood opened the public hearing regarding a proposed option agreement to acquire a portion of the Westwood property for open space preservation. Mayor Flood provided background on the proposed agreement. Pat Gilmartin raised questions about the agreement and questioned whether the open space money should be used for this purpose. Village Administrator Steve McCabe explained the reasons why this property has become a focus for acquisition. Deputy Administrator Donald Marra noted that the Open Space Advisory Committee has ranked this property as a top priority. Other members of the audience asked for additional information such as location and accessibility. After the discussion period, the Board indicated that the public hearing would be adjourned until the next meeting on December 17, 2001.

Mayor Flood proceeded with the environmental evaluation of the proposed transaction for the purposes of adopting a supplemental bond resolution relating to the option agreement. Mayor Flood indicated that the Village Board has declared itself lead agency with respect to the environmental review pursuant to SEQRA.

Mayor Flood indicated that any action pertaining to the option agreement or associated bond resolution has been determined to be an unlisted action. In conducting the environmental review, the Village considered the following facts:

- a. The Village is not exercising the agreement yet. So the signing of the option agreement, in and of itself, would not result in an impact on the environment.
- b. The property is being proposed for development into 22 single-family homes. As a result, that project of 22 single-family homes has been subjected to extensive environmental review before the Irvington Planning Board. Based on the Planning Board's review and findings, there would be no significant impact on the environment. Since any acquisition of the property by the Village would be for the preservation of open space, it would serve to reduce any impact on the environment compared to the residential development of the project.

Based on these findings, after careful review, it was determined that the option agreement and the related bond resolution would not have a significant impact on the environment. Therefore, a negative declaration would be prepared and filed. It was also noted that if any acquisition of property occurs under the option agreement, additional environmental review pursuant to SEQRA would be conducted.

Trustee Milano made a motion to adopt a supplemental bond resolution in the amount of \$3,850,000 for a project with a maximum estimated cost of \$6,850,000 for the purpose of acquiring the Westwood property for open space preservation. Trustee Attai seconded the motion and it was unanimously approved. The full text of the bond resolution is attached hereto as a part of these minutes.

Trustee Milano reported on increased video use in the Library and upcoming exhibits. She also reported on a recent meeting of the Community Advisory Board.

Trustee Livingston summarized the activities of the Architectural Review Board. He also discussed the Fire Department's involvement in the Holiday Happenings and the activities of the Department of Public Works including leaf pickup. He also reported on the testing of the newly installed underground storage tank.

Trustee Attai discussed Police Department activities including the training of 4 officers for bicycle patrol and terrorism training. She also commented that the Beautification Committee did a great job decorating the Main Street area for the holidays. She also reported that the number of false alarms declined in November.

Clerk-Treasurer Lawrence Schopfer requested the issuance of a peddling permit to Karl Dibble for the sale of Christmas Trees at 76 North Broadway until December 31, 2001. After some discussion, Trustee Attai made a motion to approve the issuance of the permit with the following conditions:

1. Hours of Operation:
7:00 a.m. to 7:00 p.m. Monday-Friday
9:00 a.m. to 7:00 p.m. Saturday and Sunday
2. Lights are only permitted during Hours of Operation.
3. One sign may be installed. The size can be no larger than the size of the sign installed on December 3, 2001 (a banner approximately 2' x 8'). Sign must be located no closer than 50' from Broadway.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Attai made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening from executive session, upon a motion duly made, seconded and unanimously approved, the Board approved the submission of a grant proposal for wetlands restoration at Halsey Pond sponsored by the US Fish and Wildlife Service in the amount of \$15,000 with an in-kind contribution of \$16,050 from the Village.

Upon a motion duly made, seconded, and unanimously approved, the Village Board approved the retention of Sven Hoeger / Creative Habitat Corporation as the Village's environmental consultant for the maintenance and management of Halsey Pond in accordance with the proposal submitted October 25, 2001. A copy of the proposal is attached hereto as a part of these minutes.

There being no further business, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments